

**Board of Selectmen
Minutes
November 10, 2009
Center School Offices
7:00 p.m.**

Select Board Chair Jonathan Edwards called the regular meeting of the Board of Selectmen of the Town of Whately to order on Tuesday, November 10, 2009 at 7 p.m. Also present were Selectmen Paul Newlin and Joyce Palmer Fortune, Town Administrator/Town Clerk Lynn Sibley, and Municipal Secretary Barbara Hancock. Minutes from the Oct 27th meeting were accepted as written. The vendor and payroll warrants were reviewed and signed.

Town Administrator, Lynn Sibley: Connect CTY – Residents will be receiving their first message this evening through the Blackboard Connect system, also referred to as Connect CTY. The message will serve as an introduction of the system to residents and will explain how they can edit their contact information. There is a link on the homepage of the Whately Town website for residents to provide additional contact information. **Holding Building Permits for Unpaid Taxes** – The Town of Conway has contacted Whately and other FCCIP towns to see if all would approve of a conditional clause on building permits that would require real estate taxes be paid in full before a building permit would be released to a resident. After some discussion, the Selectmen agreed to a discretionary clause that ‘unpaid real estate taxes *may* result in the withholding of a building permit’. **FCAT Capital Request** – The Selectmen voted to approve a capital expense in the amount of \$1603.80 to be used toward the purchase of a road case and portable video equipment. FCAT Director, Marty McGuane had appeared before the Board at their Sept 29th meeting to explain the requested budget. Tonight’s vote was to clarify the Board’s approval of both the budget increase and the capital expense. **9C Cuts** – The Governor’s recent budget cuts amount to approximately \$9000 in reduced funding to Whately: \$90 cut in the library offset, a reduction of in-lieu-of-taxes received on state owned land (currently receive \$21,000), and a further reduction to the Quinn Bill (from \$600 to \$300). It is unclear how Frontier will handle the 40% reduction in regional transportation funding. Cutting regional transportation funding is counterproductive to the State’s push for towns to regionalize services and unfairly affects rural areas of the State, Western Mass more than eastern parts of the State. The Selectmen requested a letter be sent to Senator Rosenberg regarding the Governor’s mixed message. In addition, Chapter 70 funds were supposed to be increasing steadily over this five-year period to bring Whately up to an equitable distribution. Lynn is apprehensive about plans to combine regional transportation with Chapter 70, which doesn’t usually suffer budget cuts. When local transportation was combined with Chapter 70, the increase was not equal to the full transportation budget. **Lynn Away** – Lynn will be out of the office Nov 18-20 to attend the New England Clerks’ Conference. **Clean Energy Funds** – Lynn plans to purchase educational materials with the \$356 in clean energy fund credits the Town qualified for. Lynn is trying to reach Peggy McCloud to select the materials. **Smith Vocational Student** – A new Smith Vocational student has moved to Whately. Lynn is hoping to coordinate transportation with Deerfield, who already transports a student. Additional funds were voted for that account at the last STM in anticipation of this new student. **H1N1 Vaccination Clinic** will be held at each of the Union 38 elementary schools on Thursday, Nov 12th from 3-4:30pm. Information and permission forms are available on the Town and School website. Frontier has a clinic scheduled for Friday, Nov 13th. More clinics will be scheduled as more vaccines become available.

7:30 p.m. Tax Classification Hearing

Melanie Chorak, Whately Assessor was present. Lynn read the legal notice. Lynn explained that Whately has historically had a single tax rate. Commercial and Industrial properties make up 16% of the tax base. Of the \$228 million in total taxes collected in Whately, the commercial and industrial properties account for \$38 million. Their tax rate would need to increase by 5-6% for residential/agricultural properties to see a 1% decrease in their rate. Melanie reported that the Assessors support a single tax rate. The

Selectmen agreed and voted unanimously a single tax rate. The tax rate is not expected to change much from last year, except for the additional CPA assessment.

Town Clerk, Lynn Sibley: Dog License – Lynn went to court with the last resident with unlicensed dogs (3). The court officer instructed the resident to license the dogs or find other homes for them by Dec 4th. **Registration of Voter Sessions** will be held on Nov 18 from 2-4 and 7-8pm. Virginia Allis will fill in for Lynn who will be away at a conference. The sessions will be the last opportunity for residents to register to vote in the Dec 8th primary for the vacant Senate seat. It appears that Towns may not be reimbursed the cost of these special elections, expected to be \$2100 in Whately. Funds were voted at the last STM to cover the elections in the event that the State did not reimburse the expenses.

Highway Dept – Lynn updated the Board. **Haydenville Rd** – Keith spoke to Scott Jackson regarding the engineering quote received from Heritage Survey. Scott suggested Keith talk to Conservation Commission member Terry Reynolds who has more experience with this type of work. Keith will be meeting with Terry on Friday.

Historical Society – Adelia Bardwell, Bill Saunders, and Jane Grybko appeared before the Board to discuss the will of Gertrude Bardwell that bequeathed the building that houses the Post Office to the Historical Society. The group, a Historical Society sub-committee to consider the will, wanted to inform the Selectmen that the Town is designated as the second recipient if the Historical Society chooses not to accept ownership of the building. Adelia explained that the US Postal Service pays \$70 per month to rent the building, which does not cover the amount paid out in real estate taxes, maintenance, and insurance. The Historical Society could apply for 501(c)3 non-profit status and be exempt from real estate taxes, but the rent would still need to be increased to at least cover insurance and maintenance. A request to increase the rent would be considered by the US Postal Service. The Whately Postmaster feels the Whately Post Office would not be in jeopardy of closing. The Municipal Building Committee is examining town buildings' use to recommend a plan for future building use and will be advised of the will. Adelia explained the history of the post office in Whately and expressed the desire of Gertrude Bardwell to keep the building as the post office. The Historical Society sub-committee will be meeting soon to make a decision.

New Business

Servicemen Excise Tax Exemption – Veteran's Agent Leo Parent would like the Town to consider accepting MGL 60A Sec 1, by town meeting vote, so that active duty servicepersons overseas would be exempt from excise tax on their primary vehicle.

WMECO Solar Program – WMECO is looking for potential properties to locate their solar energy systems under the Green Energy Program. Potential sites should be at least 4 acres and may include capped landfills. While Whately does not have a 4-acre site, the Selectmen will respond to include details of the Town's landfill and the elementary school roof in the event that WMECO decides to consider smaller sites.

Emergency Response Coordinator – The Selectmen unanimously appointed Lynn Sibley to continue to serve as the Emergency Response Coordinator to FrCOG.

State Primary Warrant – The Selectmen reviewed and signed the warrant for the Dec 8th Primary for the vacant Massachusetts Senate seat.

Annual License Fees – The Selectmen reviewed and agreed not to increase any fees for 2010 licenses.

Shelburne Control Dispatch – The State Police run the dispatch service that Whately uses, answering 911 calls, business calls, and handling burn permits at no charge. The service is suffering financially and is considering cutting some of its services. Lynn attended a meeting recently and learned that the service is operating with outdated equipment under undesirable working conditions. Some capital improvements could help the service operate more efficiently. The service is funded through 911 charges from the telephone companies. Due to the financial constraints at the center, a third of these funds have been used to pay salaries. Whately has been asked to write a letter supporting some capital investment that would reduce the operational costs and provide for more efficient service. An oversight committee has formed to examine the service. Without this service Whately would have to invest in equipment and provide 24-hour staff to respond to 911 calls. The Selectmen also requested a letter be sent to legislators drawing their attention to the need for these funds to remain earmarked for this important regional endeavor. Some of the needed equipment may qualify for funding under Homeland Security grants.

Berkshire Gas Hearing – A hearing is scheduled for November 30th to review Berkshire Gas’ three-year energy efficiency plan. Any public comments to be considered at the hearing must be submitted by Nov 12th.

Election Worker Appointment – The Selectmen unanimously voted to appoint Maryann Sadoski as an election worker.

Franklin County Selectmen’s Association Meeting will be held on Nov. 19th. Selectmen should RSVP.

Reschedule Next Selectmen’s Meeting – The Selectmen agreed to reschedule the November 24th Selectmen’s meeting to December 1st. Jonathan is not available on November 24th and Lynn will be busy with the primary election on December 8th.

There being no further business to come before this meeting, it was adjourned at 8:50 p.m.

Respectfully submitted.

Joyce Palmer Fortune, Clerk